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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS MACHINES
CORPORATION,

Defendant/Counterclaim-Plaintiff.

**ORDER DENYING SCO'S MOTION FOR
RELIEF RE SPOILIATION**

Civil No. 2:03CV0294 DAK

Honorable Dale A. Kimball

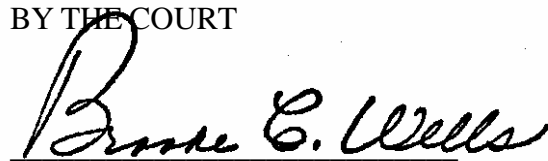
Magistrate Judge Brooke C. Wells

Plaintiff and Counterclaim-Defendant The SCO Group, Inc.'s ("SCO's") Motion for Relief for IBM's Spoliation of Evidence came before the Court for hearing on January 18, 2007. Mark James appeared for SCO. Todd Shaughnessy appeared for Defendant and Counterclaim-Plaintiff International Business Machines Corporation ("IBM"). The Court, having considered both parties' papers, having heard argument of counsel, and for good cause appearing,

IT IS HEREBY ORDERED that SCO's motion is denied for the reasons set forth by the Court at the hearing held on January 18, 2007.

DATED this 2nd day of March, 2007.

BY THE COURT

A handwritten signature in black ink, reading "Brooke C. Wells". The signature is written in a cursive, flowing style.

Brooke C. Wells
Magistrate Judge

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/s/ Mark F. James
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(e-filed with authorization from counsel)